

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

YELLOW CORPORATION, *et al.*,¹

Debtors.

Chapter 11

Case No. 23-11069 (CTG)

(Jointly Administered)

Re: Docket Nos. 597, 690, 760

**SECOND SUPPLEMENTAL DECLARATION OF PHILIP C. DUBLIN IN
SUPPORT OF THE APPLICATION OF THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS OF YELLOW CORPORATION, *ET AL.* TO
RETAIN AND EMPLOY AKIN GUMP STRAUSS HAUER & FELD LLP
AS LEAD CO-COUNSEL, NUNC PRO TUNC TO AUGUST 18, 2023**

Under 28 U.S.C. § 1746, I, Philip C. Dublin, declare as follows under the penalty of perjury:

1. I am an attorney admitted to practice in the State of New York and the United States District Court for the Eastern and Southern Districts of New York and have been admitted *pro hac vice* to the United States Bankruptcy Court for the District of Delaware for the purposes of these Chapter 11 Cases.² I am a member of the firm of Akin Gump Strauss Hauer & Feld LLP (“Akin”). Akin maintains offices at, among other places, One Bryant Park, New York, New York 10036. There are no disciplinary proceedings pending against me.

2. I am duly authorized to make this second supplemental declaration (the “Second Supplemental Declaration”) on behalf of Akin in support of the *Application of the Official Committee of Unsecured Creditors of Yellow Corporation, et al. to Retain and Employ Akin Gump*

¹ A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://dm.epiq11.com/YellowCorporation>. The location of the Debtors’ principal place of business and the Debtors’ service address in these chapter 11 cases is: 11500 Outlook Street, Suite 400, Overland Park, Kansas 66211.

² Capitalized terms used but not otherwise defined herein have the meanings set forth in the Application (as defined herein).

Strauss Hauer & Feld LLP as Lead Co-Counsel, Nunc Pro Tunc to August 18, 2023 [Docket No. 597] (the “Application”).

3. On September 18, 2023, the Committee filed the Application, together with, among other things, the *Declaration of Philip C. Dublin in Support of the Application of the Official Committee of Unsecured Creditors of Yellow Corporation, et al. to Retain and Employ Akin Gump Strauss Hauer & Feld LLP as Lead Co-Counsel, Nunc Pro Tunc to August 18, 2023* (the “Original Declaration”), attached to the Application as Exhibit B.

4. On September 29, 2023, Akin filed the *Supplemental Declaration of Philip C. Dublin in Support of the Application of the Official Committee of Unsecured Creditors of Yellow Corporation, et al. to Retain and Employ Akin Gump Strauss Hauer & Feld LLP as Lead Co-Counsel, Nunc Pro Tunc to August 18, 2023* [Docket No. 690] (the “First Supplemental Declaration” and, together with the Original Declaration, the “Prior Declarations”). The Court entered an order approving the Application on October 4, 2023 [Docket No. 760].

5. I submit this Second Supplemental Declaration in accordance with Bankruptcy Code sections 327, 328 and 330, Bankruptcy Rules 2014 and 2016, Local Rules 2014-1 and 2016-1 and the Original Declaration.³

6. Paragraph 31 of the Original Declaration discloses that Emony Robertson, an Akin associate, clerked for the Honorable Craig T. Goldblatt from September 12, 2022 to September 8, 2023. Ms. Robertson began working at Akin on September 11, 2023. As stated in the Original Declaration, I do not believe that Ms. Robertson’s prior employment precludes Akin from meeting the disinterestedness standard under the Bankruptcy Code. However, out of an abundance of

³ See Dublin Declaration ¶ 18 (“If any new relevant facts or relationships are discovered or arise, Akin will use reasonable efforts to identify such further developments and will promptly file a supplemental declaration, as required by Bankruptcy Rule 2014(a).”).

caution, Akin instituted formal screening measures to screen Ms. Robertson from Akin's representation of the Committee in these Chapter 11 Cases.

7. I have been informed that Judge Goldblatt has served as a coach for certain teams in the Duberstein Bankruptcy Moot Court Competition (the "National Duberstein Competition"), which is an annual moot court competition, and in the ACB Fourth Circuit Moot Court (the "Regional Duberstein Competition" and, together with the National Duberstein Competition, the "Duberstein Competitions"), a region-specific moot court competition aligned with the annual National Duberstein Competition. Prior to taking the bench, Judge Goldblatt served as a coach for Ms. Robertson's team in the Duberstein Competitions from January 2021 to March 2021 (during which time Judge Goldblatt was a partner at Wilmer Cutler Pickering Hale and Dorr LLP). Judge Goldblatt also served as a coach for the Duberstein Competitions team that Ms. Robertson participated on from January 2022 to March 2022.

8. In mid-January 2024, Judge Goldblatt asked Ms. Robertson, and Ms. Robertson has agreed, to assist Judge Goldblatt in writing an article for the NCBJ newsletter regarding the Duberstein Competitions. I do not believe that Ms. Robertson's agreement to assist Judge Goldblatt with this article precludes Akin from continuing to meet the disinterestedness standard under the Bankruptcy Code. Moreover, the formal screening measures that Akin previously instituted to screen Ms. Robertson from Akin's representation of the Committee in these Chapter 11 Cases remain in place.

9. By reason of the foregoing and as set forth in the Prior Declarations, to the best of my knowledge and information, I continue to believe that Akin neither holds nor represents any interest adverse to the Committee, the Debtors or their creditors and, therefore, remains capable of fulfilling its duties to the Committee and the unsecured creditors that the Committee represents.

I declare under penalty of perjury that the foregoing is true and correct on this 29th day of January 2024.

/s/ Philip C. Dublin
Philip C. Dublin